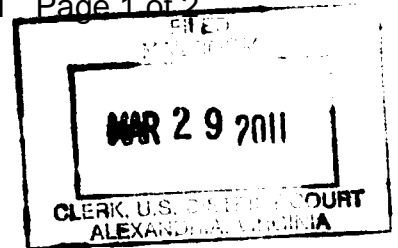


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION



IN RE APPLICATION OF THE UNITED
STATES OF AMERICA FOR AN ORDER
PURSUANT TO 18 U.S.C 2703(d)

MISC NO. 10GJ3793

1:11-DM-00003

MOTION FOR LEAVE TO FILE BRIEF AS
AMICI CURIAE IN SUPPORT OF
PETITIONERS' MOTION OF OBJECTION TO MARCH 11, 2011 ORDER DENYING MOTION
TO VACATE AND DENYING IN PART MOTION TO UNSEAL

MOTION FOR LEAVE TO FILE BRIEF AS *AMICI CURIAE*

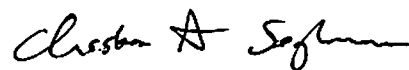
We respectfully submit this memorandum of law in support of our motion to for leave to file a brief *amicus curiae* in the above captioned matter.

INTERESTS OF PROPOSED *AMICI*

Amici are academics and researchers from the fields of computer science, psychology, and law who focus on online privacy. They seek to make the court aware of a large body of academic research confirming that consumers rarely read and even more rarely understand privacy policies. In fact, the mere presence of a privacy policy is often misunderstood by consumers to mean their privacy is protected.

This information is relevant to the case because the court has cited Petitioner's "clickwrap" acceptance of Twitter's privacy policy in determining that they did not have a reasonable expectation of privacy regarding Twitter logs containing their IP addresses.

Respectfully submitted,



Christopher Soghoian
(*pro se*)

Graduate Fellow
Center for Applied Cybersecurity Research
Indiana University
PO Box 2266
Washington, DC 20013
(617) 308 – 6368
chris@soghoian.net

Dated: March 28, 2011